

REMARKS

Claims 50-71 are now pending. Applicant has added claims 50-71 and cancelled claims 40-49. Claims 1-39 were previously cancelled.

The Examiner had rejected claims 40-49 under 35 U.S.C. § 103(a) as being unpatentable over Deziel in view of Hughes. Although applicant disagrees, applicant has added new claims to clarify aspects of the invention.

Applicant's technology is related to generating a project schedule. A project is defined by tasks that need to be performed to complete the project and by the resources (e.g., a person) that are needed to perform the tasks. For example, a house building project may have one task to install cabinets which may need a person to carry the cabinets into the house, a person to bolt the cabinets to the wall, a person to install countertops, and so on. In addition, the resources of a task may have an associated durations that indicate the length of time that a resource is needed to complete its portion of the task.

Applicant's invention is related to generating a project schedule by separately scheduling the resources of the task. In an embodiment, to generate a schedule, applicant's technology divides the tasks into assignments that can be completed by a single resource. For example, applicant's technology would divide the task of installing cabinets into the assignments of carrying the cabinets into the house, bolting the cabinets to the wall, installing countertops, and so on that each require one resource (i.e., a person). Applicant's technology then schedules the tasks by determining for the assignments a time when the resources of the assignments are available and scheduling the assignments to be performed at those times. For example, if the person responsible for carrying the cabinets into the house is also responsible for carrying tile, fixtures, and lumber as part of other tasks (e.g., installing floor), then applicant's technology would establish a separate assignment for each of the responsibilities of that person.

Applicant's technology has an advantage over conventional scheduling techniques in that project schedules based on an assignment level with a single resource is more likely to eliminate underutilization, that is, idle time when a resource is not being utilized. For example, if the install cabinet task needs to be performed before the install floor task, then conventional scheduling tools would schedule the tasks to start sequentially, such that the person who performs the carrying for both tasks would have idle time after carrying in the cabinets until installation of the cabinets is complete. At that time, the installing floor task would begin, and the person would start carrying in the tile. In contrast, applicant's technology would allow for the scheduling of carrying in of the tile immediately after the carrying in of the cabinets is complete because each is an assignment that is separately scheduled.

Moreover, because applicant's technology automatically divides the tasks into assignments, the user of the project scheduling tool is relieved of the burden of having to sub-divide tasks into increasingly lower level tasks. Rather, the user can focus on defining high-level tasks and leave the dividing and scheduling to the project scheduling tool.

The Examiner states that "it would have been obvious to one of ordinary skill in the project/task/assignment management [sic, art] at the time of Applicant's invention to incorporate Hughes et al's features into Deziel et al's invention, thereby providing a system which would allow to break [sic] projects or tasks into smaller tasks or activities (plurality of assignments) and schedule them optimally and fully (maximally) employing the available resources having constraints." (Office Action, Nov. 24, 2003, p. 6.) Applicant respectfully disagrees.

First, the Examiner is impermissibly relying solely on applicant's own teaching in supporting this motivation to combine the references. There is nothing in either Hughes or Deziel that provides any suggestion or motivation to divide a task into assignments of a single resource and then to schedule those assignments separately. It is only applicant's

specification that teaches that it would be desirable to perform such dividing and scheduling.

Second, the combining of Hughes' smaller tasks with Deziel would defeat the objectives of Hughes or Deziel. Hughes describes a system in which a user defines large-scale tasks and breaks them into smaller tasks. Each task corresponds to a contract between a supplier and receiver of a product. The supplier and receiver negotiate the terms of the contract including the delivery date. Since each task of Hughes, including the smaller task, has a manually defined delivery date it, it would defeat the negotiation objective of Hughes to "schedule" those smaller tasks using Deziel or any automatic scheduling tool because it would change the negotiated delivery date. Moreover, it would be nonsensical to have a task in which a supplier and receiver agree to a contract with a delivery date and then somehow use a scheduling tool to automatically reset a start date and end date for that task. Conversely, it would defeat the scheduling objective of Deziel to rely on the delivery dates of Hughes without rescheduling.

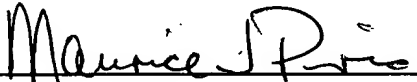
Since the newly added claims are directed to "automatically dividing tasks into assignments, an assignment being a portion of a task that can be completed using a single resource" and then scheduling the assignments to effect the scheduling of the tasks, the claims are patent over the combination of Deziel and Hughes.

Application No.: 09/721,141

Based upon these amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Dated: September 21, 2004

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